



0420 10590 0120  
KLAUBER & JACKSON  
ATTORNEYS AT LAW  
CONTINENTAL PLAZA  
411 HACKENSACK AVENUE  
HACKENSACK, NEW JERSEY 07601

STEFAN J. KLAUBER\*  
DAVID A. JACKSON  
MICHAEL D. DAVIS\*  
LAWRENCE D. MANDEL\*  
STEVE S. CHA  
STEVEN GIGANTE  
CATHERINE ROSEMAN SMITH\*

\*BAR OTHER THAN N.J.  
\* COUNSEL

PATENT AGENTS

CHRISTINE E. DIETZEL, PH.D.  
MICHAEL A. YAMIN, PH.D.

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(201) 487-5800

FACSIMILE: (201) 343-1684

WWW.KJILAW.COM

email: info@kjiplaw.com

August 10, 2001

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Attention: Box Missing Parts  
Application Processing Division  
Special Processing and Correspondence Branch

Re: U.S. Patent Application  
Applicant(s) : Charles O. Rock *et al.*  
Serial No. : 09/917,331  
Filed : July 27, 2001  
Title : STRUCTURE OF  $\beta$ -KETOACYL-[ACYL  
CARRIER PROTEIN] SYNTHASES  
COMPLEXED WITH INHIBITORS AND  
METHODS OF USE THEREOF  
Docket No. : 1340-1-032N

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to BOX MISSING PARTS, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 on 8/10/01

Michael D. Davis Reg. No. 39,161  
(Name of Registered Representative)

Betty Schults 8/10/01  
(Signature and Date)

SUBMISSION OF MISSING PARTS OF APPLICATION  
UNDER 37 CFR 1.53(d)

Sir:

Further to the filing of the above-identified Patent Application, U.S. Serial No. 09/917,331 and prior to the receipt of the Notice to File Missing Parts of Application, the Applicants forward a combined Declaration and Power of Attorney signed by one of the co-Inventors which makes

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ASSISTANT COMMISSIONER FOR PATENTS

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reference to the above-identified Application in compliance with 37 CFR 1.63.

This now completes the filing of the above-identified Patent Application, since the other two co-Inventors had signed the Declaration and Power of Attorney submitted with the initial filing.

Since the Declaration and Power of Attorney submitted with the initial filing was not signed by all of the Inventors, Applicants submit a check for \$65.00 dollars (for small entity) in compliance with 37 CFR 1.27.

No additional fees are believed to be necessitated by the foregoing submission. However, should this be erroneous, authorization is hereby given to charge Deposit Account No. 11-1153 for underpayment or credit any overages.

In the event that there are any questions concerning this filing or the Application in general, the Examiner is respectfully urged to telephone the undersigned so that the early publication and subsequent prosecution of the Application may be expedited.

Respectfully submitted,



MICHAEL D. DAVIS

Attorney for Applicant(s)

Registration No. 39,161

MDD/bls  
Enclosures



Attorney Docket No: 1340-1-032N

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below under our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**STRUCTURE OF  $\beta$ -KETOACYL-[ACYL CARRIER PROTEIN] SYNTHASES  
COMPLEXED WITH INHIBITORS AND METHODS OF USE THEREOF**

the Specification of which

- ☐ is attached hereto  
☒ was filed on July 27, 2001  
 as Application Serial No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any provisional application filed in the United States in accordance with 35 U.S.C. §1.119(e), or any application for patent that has been converted to a Provisional Application within one (1) year of its filing date, or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| <u>APPLICATION</u><br><u>NUMBER</u> | <u>COUNTRY</u> | <u>PRIOR FILED APPLICATION(S)</u><br><u>(DAY/MONTH/YEAR FILED)</u> | <u>PRIORITY</u><br><u>CLAIMED</u> |
|-------------------------------------|----------------|--|-----------------------------------|
| 60/223,222                          | United States  | 4 August 2000  | Yes                               |

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney Docket No: 1340-1-032N

|                          |                                 |  |
|--------------------------|---------------------------------|--|
| APPLICATION<br>NO. _____ | FILING DATE<br>(DAY/MONTH/YEAR) | STATUS - PATENTED, PENDING,<br>ABANDONED _____ |
|--------------------------|---------------------------------|--|

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from St. Jude Children's Research Hospital as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the person from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint as my attorneys or agents the registered persons identified under

**Customer No. 29310**

for the law firm of Klauber & Jackson, said attorneys or agents with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

DAVID A. JACKSON, ESQ.  
KLAUBER & JACKSON  
411 HACKENSACK AVENUE  
HACKENSACK, NEW JERSEY 07601

Direct all telephone calls to David A. Jackson at (201) 487-5800.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Attorney Docket No: 1340-1-032N

FULL NAME OF FIRST JOINT INVENTOR: Charles O. Rock  
COUNTRY OF CITIZENSHIP: United States  
FULL RESIDENCE ADDRESS: 6412 Grassy Knoll Cove  
Bartlett, TN 38135  
FULL POST OFFICE ADDRESS: 6412 Grassy Knoll Cove  
Bartlett, TN 38135

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE \_\_\_\_\_

FULL NAME OF SECOND JOINT INVENTOR: Allen Price  
COUNTRY OF CITIZENSHIP: United States  
FULL RESIDENCE ADDRESS: 285 N. Watkins  
Memphis, TN 38104  
FULL POST OFFICE ADDRESS: 285 N. Watkins  
Memphis, TN 38104

SIGNATURE OF INVENTOR \_\_\_\_\_

DATE \_\_\_\_\_

FULL NAME OF THIRD JOINT INVENTOR: Stephen White  
COUNTRY OF CITIZENSHIP: Great Britain  
FULL RESIDENCE ADDRESS: 197 Gardenia Cove  
Memphis, TN 38117  
FULL POST OFFICE ADDRESS: 197 Gardenia Cove  
Memphis, TN 38117

SIGNATURE OF INVENTOR DATE August 6th. 2001